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Attorneys for Plaintiff Merrill Lynch, Pierce,
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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MERRILL LYNCH, PIERCE, FENNER &)	CASE NO.: C 07-3336 MMC
SMITH INC., a Delaware corporation,)	
)	
Plaintiff,)	NOTICE OF SETTLEMENT
)	
vs.)	
)	
WILLIAM E. FREDRICKSON,)	
)	
Defendant.)	
_____)	

Plaintiff - Merrill Lynch, Pierce, Fenner & Smith, Incorporated, and defendant - William Fredrickson, hereby notify the Court that a settlement agreement in this case has been finalized. As such, the parties will not be filing briefs in preparation for the preliminary injunction hearing currently set for August 2, 2007. Pursuant to the settlement reached by the parties, however, the Temporary Restraining Order will remain in effect until August 2, 2007. On that date, plaintiff will file a Stipulation for Dismissal pursuant to Federal Rules of Civil Procedure, Rule 41.

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1 Dated: July 24, 2007

GORDON-CREED, KELLEY,
HOLL & SUGERMAN, LLP

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4 By: /s/ Kevin J. Holl
5 Kevin J. Holl
6 Attorneys for Merrill Lynch, Pierce,
7 Fenner & Smith, Inc.
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PROOF OF SERVICE BY E- MAIL

I am a resident of the State of California, over the age of 18 years, and not a party to the within action. My business address is Gordon-Creed Kelly, Holl & Sugerman, LLP, 222 Kearny Street, Suite 650, San Francisco, California 94108.

On July 24, 2007, I served the within documents: **NOTICE OF SETTLEMENT** on the parties in the within action at the following email address: *bfredrickson@royalaa.com*

I declare under penalty of perjury under the laws of the United States of America that the above is true and correct.

Executed on **July 24, 2007**, at San Francisco, California.

/s/ Linda J. Halperin
Linda J. Halperin